

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2015-011434

10/13/2016

HONORABLE DOUGLAS GERLACH

CLERK OF THE COURT  
D Arrieta  
Deputy

LAUREN KUBY, et al.

JOY E HERR-CARDILLO

v.

STATE OF ARIZONA

MICHAEL JOHN HRNICEK

TIMOTHY M HOGAN  
KORY A LANGHOFER

MINUTE ENTRY

Courtroom 513 - ECB

10:20 a.m. This is the time set for Oral Argument on Defendant's Motion to Dismiss First Amended Complaint for Declaratory Judgment Pursuant to Ariz. R. Civ. P. 12(b)(1), filed on May 2, 2016. Present on behalf of Plaintiff Lauren Kuby is counsel, Joy E. Herr-Cardillo. Present on behalf of Defendant State of Arizona is counsel, Michael John Hrnicek and co-counsel, David Weinzeig. Counsel Kory A. Langhofer and Thomas Basile are now present on behalf of Plaintiffs Arizona Food Marketing Alliance, Arizona Restaurant Association, Arizona Retailers Association and NAIOP Arizona. No one else is present nor represented.

A record of the proceedings is made digitally in lieu of a court reporter.

Discussion is held regarding Defendant's Motion to Dismiss First Amended Complaint for Declaratory Judgment Pursuant to Ariz. R. Civ. P. 12(b)(1).

Argument is heard and considered.

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As stated on the record,

**IT IS ORDERED** that Defendant's Motion to Dismiss First Amended Complaint for Declaratory Judgment Pursuant to Ariz. R. Civ. P. 12(b)(1), filed on May 2, 2016, is granted. The court adopts as its reasons the arguments presented in the Motion to Dismiss at pages 4-7 and the brief filed on behalf of the Amici Curiae at pages 5-12.

11:13 a.m. Matter concludes.